

REMARKS

The specification has been amended to provide updated Cross-Reference information, and to remove the “[Remainder of Page Intentionally Left Blank]” indications.

Claims 1-30 are pending in the present application. Claims 1-30 have been rejected. Claims 1-11, 14-19, 21, and 24-29 have been amended. No new matter has been added.

The Office Action states that document number 2004/024795 A1, cited on the IDS received January 20, 2006, has not been considered, because no U.S. pre-grant publication with that number was found. Applicant appreciates the Examiner noticing the typographical error. It is respectfully submitted that the proper document number is 2004/0024795 A1, and Applicant respectfully requests consideration of the reference.

Claims 1, 11, and 21 have been provisionally rejected on the ground of non-statutory obviousness-type double patenting as being unpatentable over claims 68, 1, and 51, respectively, of copending Application No. 10/646,941. Claims 68, 1, and 51 of co-pending Application No. 10/646,941 have been recently amended. Therefore, withdrawal of the provisional non-statutory obviousness-type double patenting rejection is respectfully requested.

Claims 4-9, 14-19, and 24-29 have been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The claims have been appropriately amended. Withdrawal of the rejections of claims 4-9, 14-19, and 24-29 under 35 U.S.C. § 112, second paragraph, is respectfully requested.

Claims 1-30 have been rejected under 35 U.S.C. § 101 as being non-statutory. The claims have been appropriately amended. Therefore, withdrawal of the rejections of claims 1-30 under 35 U.S.C. § 101 is respectfully requested.

Claims 1-30 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Bernstein et al. (“The Microsoft Repository”). It is respectfully submitted that claims 1-30 are allowable over the art of record for the reasons set forth below.

Claim 1 has been amended to include the features of each Relationship being between a source Item and a target Item, with each target Item having an associated reference count. The associated reference count is used to determine the lifetime of the target Item. The prior

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art fails to disclose or suggest such a target Item having an associated reference count that is used to determine the lifetime of the target Item.

Bernstein describes the Microsoft Repository that includes a set of object-oriented interfaces that can be used to define information models, and a repository engine that is the storage mechanism for the information models. On page 6, Bernstein describes objects such as a repository object, a collection object, and a relationship object. The collection object states that standard collection methods are used: Add, Count, Remove, Item, and _Enum. However, the Count collection method is not a reference count that is associated with a target Item and used to determine the lifetime of the target Item, as claimed.

Claims 11 and 21 recite similar features to those described above with respect to claim 1, and are thus patentable as well. Based on the foregoing, claims 1, 11, and 21, and all claims dependent therefrom, should not be rejected as being anticipated by Bernstein. Therefore, withdrawal of the rejections of claims 1-30 under 35 U.S.C. § 102(b) is respectfully requested.

In view of the foregoing amendments and remarks, Applicant submits that the above-identified application is in condition for allowance. Early notification to this effect is respectfully requested.

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Michael W. Tieff
Registration No. 57,845

Woodcock Washburn LLP
Cira Centre
2929 Arch Street, 12th Floor
Philadelphia, PA 19104-2891
Telephone: (215) 568-3100
Facsimile: (215) 568-3439